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8/11/2015

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION  
9

10 MICHELE MCGEE,

11 Plaintiff,

12 vs.

13 EXPERIAN INFORMATION SOLUTIONS,  
INC., et. al.

14 Defendants.

Case No. 5:15-cv-03124-EJD

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT CREDIT  
ONE BANK PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 41(A)(1)**

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16 **PLEASE TAKE NOTICE** that Plaintiff Michele McGee, pursuant to Federal rule of Civil  
17 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Credit One Bank as to all claims in  
18 this action.

19 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

20 41(a) Voluntary Dismissal.

21 (1) By the Plaintiff.

22 (a) *Without a Court Order.* Subject to Rules 23(3), 23.1(c), 23.2, and 66 and  
23 any applicable federal statute, the plaintiff may dismiss an action without a  
24 court order by filing:

25 (1) a notice of dismissal before the opposing party service either an  
26 answer or a motion for summary judgment.

27 Defendant Credit One Bank has neither answered Plaintiff's Complaint, nor filed a motion  
28

1 for summary judgment. Accordingly, the matter may be dismissed against it for all purposes and  
2 without an Order of the Court.

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4 DATED: August 10, 2015

SAGARIA LAW  
A Professional Corporation

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7 By: /s/Elliot W. Gale  
Elliot W. Gale

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9 Attorneys for Plaintiff Michele McGee  
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